IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 10771 of 2007(G)

PETITIONER:

KRISHNANUNNI, AGED 49,
S/O. KRISHNAN NAMBOODIRI, ILLATHODUKAYIL HOUSE,
KODIYATHOOR, MUKKOM, KOZHIKODE DIST.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
MALAPPURAM.

2. THE REVENUE DIVISIONAL OFFICER,
PERINTHALMANNA.

3. THE SUB INSPECTOR OF POLICE,
ARECODE.

4. THE SECRETARY,
KEEZHUPARAMBA GRAMA PANCHAYATH, KEEZHUPARAMBA,
ARECODE, MALAPPURAM DISTRICT.

R1 TO R3 BY ADV. SMT.T.B. RAMANI, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/04/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 10771 OF 2007

Dated this the 3rd day of April, 2007

JUDGMENT

The learned Government Pleader has not yet received any instructions. I am of the view that no useful purpose will be served by allowing the lorry and load to idle in the precincts of the police station. Under these circumstances, the petitioner is directed to remit Rs.10,000/- by cash with the 2nd respondent. He is also directed to file an affidavit undertaking to produce the lorry having registration No.KED 7549 in good running condition if and when directed in that regard by the 1st respondent or any other competent authority. Once the 3rd respondent notices the original of cash receipt and photostat copy of the affidavit filed by the writ petitioner, he will forthwith release the vehicle having registration No.KED 7549 together with the load to the petitioner. It is however, made clear that release as directed above will be subject to the result of the adjudication proceedings which will be completed by the 1st respondent at the earliest and at any rate within four months of receiving copy of this judgment.

The Writ Petition is disposed of as above.

PIUS C. KURIAKOSE, JUDGE

btt